

1 EDWARD P. DAVIS, JR. (STATE BAR NO. 56847)  
edavis@orrick.com  
2 SUSAN D. RESLEY (STATE BAR NO. 161808)  
sresley@orrick.com  
3 AMANDA PACKEL (STATE BAR NO. 218282)  
apackel@orrick.com  
4 ORRICK, HERRINGTON & SUTCLIFFE LLP  
1000 Marsh Road  
5 Menlo Park, CA 94025  
Telephone: 650-614-7400  
6 Facsimile: 650-614-7401

7 Attorneys for Defendant  
Kenneth E. Lonchar  
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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION  
12

13 SECURITIES AND EXCHANGE  
COMMISSION,

14 Plaintiff,

15 v.

16 MARK LESLIE, et al,

17 Defendants.  
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Case No. C 07-3444 JF

**APPENDIX OF AUTHORITY NOT  
PUBLISHED IN OFFICIAL  
REPORTERS IN SUPPORT OF  
MOTION OF KENNETH E.  
LONCHAR TO DISMISS  
PLAINTIFF'S COMPLAINT**

Date: January 18, 2008  
Time: 9:00 a.m.  
Judge: Hon. Jeremy Fogel  
Courtroom No. 3

- 1  
2 1. *Bowoto v. Chevron Corp.*, No. C-99-02506 SI, 2006 WL 2455752 (N.D. Cal. Aug.  
3 22, 2006)
- 4 2. *Green v. Univ. of San Francisco*, No. C 06-3321JF(PVT), 2006 WL 3545024  
5 (N.D. Cal. Dec. 8, 2006)
- 6 3. *In re AOL Time Warner, Inc., Sec. & ERISA Litig.*, No. 1500, 02 Civ. 5575 SWK,  
7 2006 U.S. Dist. Lexis 17588 (S.D.N.Y. Apr. 6, 2006)
- 8 4. *In re Meris Labs., Inc.*, 57 SEC Docket 1684, 1994 WL 523841 (SEC Sept. 26,  
9 1994)
- 10 5. *In re Metricom Sec. Litig.*, No. C01-4085 PJH, 2004 WL 966291 (N.D. Cal. Apr.  
11 29, 2004)
- 12 6. *In re Redback Networks, Inc. Sec. Litig.*, No. C 03-5642 JF, 2007 U.S. Dist.  
13 LEXIS 27389 (C.D. Cal. Mar. 30 2007)
- 14 7. *In re Watchguard Sec. Litig.*, No. C05-678LJR, 2006 U.S. Dist. LEXIS 27217  
15 (W.D. Wash. Apr. 21, 2006)
- 16 8. *May v. Borick*, No. CV 95-8407 LGB (EX), 1997 WL 314166 (C.D. Cal. Mar. 3,  
17 1997)
- 18 9. *SEC v. Baxter*, No. C-05-03843 RMW, 2007 WL 2013958 (N.D. Cal. July 11,  
19 2007)
- 20 10. *SEC v. Kahn*, No. 99C 6343, 2002 WL 1163723 (N.D. Ill. May 31, 2002)
- 21 11. *SEC v. Lucent Techs., Inc.*, No. Civ. 04-2315(WHW), 2005 WL 1206841 (D.N.J.  
22 May 20, 2005)

- 1           12.     *SEC v. Parnes*, No. 01 CIV 0763 LLS THK, 2001 WL 1658275 (S.D.N.Y. Dec.  
2 26, 2001)
- 3           13.     *SEC v. Roanoke Tech. Corp.*, No. 6:05-cv-1880-Orl-31KRS, 2006 WL 2470329  
4 (M. D. Fla. Aug. 24, 2006)
- 5
- 6           14.     *SEC v. Scrushy*, No. CV-03-J-615S, 2005 WL 3279894 (N.D. Ala. Nov. 29, 2005)
- 7
- 8           15.     *SEC. v. Todd*, No. 03CV2230BEN (WMC), 2006 WL 1564892 (S.D. Cal. May  
9 30, 2006)
- 10          16.     *Woods v. Carey*, No. 04-57191, 2007 WL 2859716 (9th Cir. Oct. 1, 2007)

11  
12 Dated: October 5, 2007

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

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16 /S/

EDWARD P. DAVIS, JR.  
SUSAN D. RESLEY

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18 *Attorneys for Defendant, Kenneth E. Lonchar*